

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GREG KOCHIS,)	Civil Action No. 1:10-cv-600
)	
Plaintiff,)	JUDGE CHRISTOPHER BOYKO
vs.)	
)	
TGC, Inc., et. al,)	
)	PLAINTIFF'S MOTION FOR LEAVE TO
)	FILE AMENDED REPLY TO DEFENDANTS'
)	SUMMARY JUDGMENT POSITION
Defendants.)	STATEMENT, INSTANTER

Now comes the Plaintiff, Greg Kochis, by and through undersigned counsel, and hereby moves this Honorable Court for Leave to File Plaintiff's Amended Reply to Defendants' Summary Judgment Position Statement, Instanter in the above-captioned case. A Brief Memorandum in Support is attached hereto and incorporated herein.

Respectfully submitted,

s/ *James D. Ingalls*

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BRIEF MEMORANDUM IN SUPPORT

Pursuant to this Court's order, Plaintiff Greg Kochis filed his Reply Brief to Defendants' Summary Judgment Position Statement. However, upon undersigned counsel's viewing of the ECF transmitted document, he noticed that the incorrect document was submitted. The final drafted document which should have been submitted corrected a few grammatical errors and changed and/or added the following words in the brief: 'unemployment taxes' changed to 'unemployment contribution'; 'it payroll' changed to 'NEP's payroll'; and, 'Cincinnati Senior Tour' changed to 'Cincinnati Senior Tour in Cincinnati, Ohio.' No additional arguments or changes were made regarding the substance of the original filed Reply Brief.¹

In view of these changes, permitting leave to file the Amended Reply Brief will not prejudice the Defendants nor will it impede the judicial process of Plaintiff's case.

Wherefore, for good cause shown and as justice so requires, Plaintiff Greg Kochis, by and through his attorney, respectfully requests this Honorable Court to grant Leave to File his Amended Reply Brief, Instanter.

Respectfully submitted,

s/ James D. Ingalls

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¹ Due to a computer glitch in the ECF, the Amended Reply Brief could not be transmitted electronically until 12:19 a.m. on March 25, 2011. The ECF prevented counsel from logging into his account to file the Amended Reply Brief. The ECF error stated that the account was already logged in and although Plaintiff's counsel followed the ECF directions as to how to continue to log in, ECF would not allow him to log into the account. An ECF error print-out verification page is available for inspection.

CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Leave was electronically filed this 25th day of March 2011. Notice of this filing will be sent to counsel of record for all parties by operation of the Court's Electronic Filing System.

s/J James D. Ingalls
James D. Ingalls